



Stephanie Rawlings-Blake  
Mayor

## PLANNING COMMISSION

Wilbur E. "Bill" Cunningham, Chairman

### STAFF REPORT



Thomas J. Stosur  
Director

June 23, 2016

**REQUEST:** Minor Subdivision (Waiver) Final Plans/ 432 East 32<sup>nd</sup> Street

**RECOMMENDATION:** Approval

**STAFF:** Matthew DeSantis, AICP

**PETITIONER(S):** Waverly Main Street, Inc. c/o Emilie Drasher

**OWNER:** Jihad Zablah

#### **SITE/GENERAL AREA**

Site Conditions: This project is composed of one lot, 432 East 32<sup>nd</sup> Street, which is located between East 32<sup>nd</sup> Street, Brentwood Avenue, and Merryman Lane. The property currently is partially improved with a combination of one and two-story commercial buildings.

General Area: This property is located in the Abell neighborhood, which is predominantly residential with commercial uses at the western periphery of the neighborhood along Greenmount Avenue. The property is also located in the Waverly Main Street district.

#### **HISTORY**

- On July May 24, 1979, the Planning Commission approved the "Waverly Business Area" Urban Renewal Plan.
- On April 18, 2002, the Planning Commission revised and approved the "Waverly Business Area" Urban Renewal Plan.

#### **ANALYSIS**

Project: This subdivision proposes to reinstate a previously existing lot line. The applicant is desirous of reinstating this lot line as they are pursuing the purchase of just a portion of the property. The larger lot created from this action would be purchased by Waverly Main Street, Inc., and the smaller lot would remain under current ownership. In its consideration of the proposal, staff reviewed the following factors:

Subdivision Regulations: The project includes a waiver request to not require plans submittals as listed in the subdivision regulations, and to abbreviate the review process. Prior to the 2011 update of the subdivision regulations, it was possible to resubdivide properties as an administrative action. During the 2011 update, a discrepancy was noted in that process that these were in effect subdivisions that were not being presented to the Planning Commission, and so the subdivision regulations were amended to provide for review of this category of resubdivision.

The net result of this correction is that these relatively simple resubdivision applications need to provide plan submittals that require a survey, a circulation for agency review that can take 6-8 weeks, and increased fees for professional services (surveyor and engineer). This may have the effect of discouraging redevelopment, which frequently is located in residential neighborhoods.

Staff believes that this is a reasonable request, and so this is also being considered as part of the current update of the subdivision regulations. A more reasonable future path to consider would be a middle-ground option that would involve a reduced agency circulation involving the Department of Planning, the Zoning Administrator's office, and the Property Locations Division within the Department of Transportation. That proposed change would in effect strike a balance between too much and not enough process. For these reasons, staff recommends approval of the waiver, and of the resubdivision.

Zoning Regulations: The property is currently zoned B-2-3. The result of this subdivision would have no conflict with the existing zoning as it is for disposition only.

Community Notification: The Abell Improvement Association has been notified of this action.



**Thomas J. Stosur**  
**Director**